

# Higher Rights of Audience

April 2021

## *Changes to Higher Rights of Audience Assessment*

Following a public consultation [<https://www.sra.org.uk/sra/news/press/2020-press-release-archive/high-standards-solicitor-advocacy/>], we are changing how the civil and criminal Higher Rights of Audience (HRA) assessments operate.

This means that from:

- 31 January 2021 candidates will be assessed against revised criminal and civil HRA standards
- 1 April 2021 only solicitors and registered European lawyers can take the criminal and civil HRA assessments.

If you have not been admitted as a solicitor and want to take the criminal and/or civil HRA assessments before qualifying, you must complete the assessment before 1 April 2021.

If you have not passed the assessments in full by 1 April 2021, you will need to wait until after you are admitted as a solicitor to take them. This includes some who have only partly completed the assessment by 1 April 2021 and those needing to take resits beyond this date.

## *Introduction*

Solicitors and registered European lawyers (RELs) are granted rights of audience in all courts when they are admitted or registered. However, they cannot exercise those rights in the higher courts until they have complied with additional assessment requirements. We set the competence standards solicitor and REL higher court advocates must meet and maintain, authorise assessment organisations to test people against those standards, and set the regulations under which this scheme operates.

The SRA Authorisation of Individuals Regulations

[<https://www.sra.org.uk/solicitors/standards-regulations/authorisation-individuals-regulations/>]  
sets out the education and training requirements for those seeking to exercise higher rights of audience in the higher courts of England and Wales.

## *How does the scheme work?*

- There are separate awards for rights of audience for criminal and civil advocacy.

- There is only one route to qualification in either civil or criminal proceedings.
- The scheme requires all applicants to pass an advocacy assessment based on the SRA's higher rights of audience competence standards  
[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/accreditation/higher-rights-of-audience/statement-of-standards-for-solicitor-higher-court-advocates/>] .
- There are separate assessments for criminal and civil procedures.
- There is no mandatory training or experience requirement.
- Assessments under the scheme are run by assessment organisations  
[<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/accreditation/hra-course-assessment-providers/>] authorised by the SRA. (We are looking to introduce a single HRA assessment provider in the future, though not before summer 2022)
- Barristers who transfer to the roll of solicitors take their existing higher rights with them.
- Solicitors who gained rights of audience qualifications under previous regulations were automatically passported onto the scheme in 2010 and retained their existing rights.

#### *How to apply for higher rights of audience*

[<https://www.sra.org.uk/mysra/manage-account/individual-account/step-by-step-guides/higher-rights-audience/>]

## *Frequently asked questions*

### *General questions on eligibility and application procedure*

Open all [#]

#### *How do I apply for my rights of audience?*

If you have completed the advocacy assessment(s), you will need to complete the Higher Rights of Audience application in mySRA.

Your application will normally be dealt with within 30 days of receipt of all the necessary information.

#### *How to apply for higher rights of audience*

[<https://www.sra.org.uk/mysra/manage-account/individual-account/step-by-step-guides/higher-rights-audience/>]

#### *What type of award is available?*

There are separate awards and assessments for rights of audience for criminal and civil advocacy.

#### *When can I make an application for higher rights of audience?*

You can apply for your higher courts qualification once you have been admitted and can evidence that you have passed the advocacy assessments.

***I am a trainee solicitor - can I take the assessments?***

No. You need to be admitted as a solicitor before you can take the assessments.

***I am an EU national. Am I eligible to apply to exercise higher rights of audience?***

If you are an EU/EEA or Swiss national who has qualified in an EU Jurisdiction.

You meet the requirements of Directive 2005/36 (Recognition of Professional Qualifications) [<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32005L0036>] and are eligible to apply under Regulation 9.10(a). Please complete an Assessment Table [<https://www.sra.org.uk/globalassets/documents/solicitors/accreditation/higher-rights/hra-assessment-table.docx?version=4a089a>] .

This information will enable us to assess which (if any) assessments you will need to take to be able to gain higher rights of audience as an REL or (once admitted) as a solicitor in England and Wales.

***Do I need to undertake any mandatory training?***

No. However, you may decide that you need to undertake some additional training which will be offered by assessment organisations [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/accreditation/hra-course-assessment-providers/>] . Alternatively, you may feel that you have gained sufficient experience to be able to pass the advocacy assessment. This will be for you to decide.

***What is included in the assessments?***

The assessment will test all parts of the standards [<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/accreditation/higher-rights-of-audience/statement-of-standards-for-solicitor-higher-court-advocates/>] for either the criminal or civil award. This will include procedure, evidence and ethics and an advocacy assessment by way of a case study or simulation. Candidates will be assessed separately for the civil award or the criminal award.

***Is there an experience requirement?***

No. Provided you are admitted as a solicitor and have passed the advocacy assessment, you can make an application.

*Do I need a certificate of eligibility from the SRA to take the assessment?*

No. You can register with an assessment organisation to take the assessment. Once you have passed the assessment, you may submit your application for your award.

## *Useful links*

Bar Council [<http://www.barcouncil.org.uk/>]

The General Council of the Bar is the representative body for barristers in England and Wales.

BSB [<http://www.barstandardsboard.org.uk/>]

The Bar Standards Board (BSB) is the regulatory body for barristers in England and Wales.

SAHCA [<http://www.sahca.org.uk/>]

The Solicitors' Association of Higher Court Advocates (SAHCA) is a national association that represents the interests of solicitors who practise as advocates in the higher courts.